

919 THIRD AVENUE NEW YORK, NY 10022-3908

JENNER & BLOCK LLP

June 24, 2022

Ali M. Arain
Tel +1 212 407 1721
Fax +1 212 891 1699
AArain@jenner.com

VIA ECF

The Honorable Judge William M. Conley
United States District Court
Western District of Wisconsin
120 North Henry Street
Chambers 320
Madison, WI 53703

Re: *Planned Parenthood of Wisconsin v. Kaul*, Case No. 3:19-CV-00038-WMC

Dear Judge Conley:

We represent Plaintiffs Planned Parenthood of Wisconsin, Inc. (“PPWI”), Dr. Kathy King, Natalee Hartwig, Sara Beringer, and Katherine Melde (collectively, “Plaintiffs”) in the above-referenced matter.

We write to respectfully request that the Court provide Plaintiffs with 30 days to review the opinion issued today by the U.S. Supreme Court in *Dobbs v. Jackson Women's Health Organization*, No. 19-1502, 597 U.S. ____ (2022) (attached as Exhibit A) before the Court issues any decision in this matter. Plaintiffs are reviewing the opinion and evaluating its potential impact on the claims in this case to determine what, if any, additional filings or requests to make to the Court, or other possible next steps in this matter, in light of the *Dobbs* decision.

A district court has the inherent authority to stay its own proceedings. *See CMFG Life Ins. Co. v. Morgan Stanley & Co., LLC*, No. 13-C-577, 2014 WL 12725979, at *2 (W.D. Wis. Dec. 19, 2014). Courts routinely stay proceedings for a brief period under similar circumstances after relevant decisions are issued by the U.S. Supreme Court or other courts to give the parties an opportunity to review the decision, consider its impact, and develop a plan for addressing it in the existing matter. *See, e.g., Smith v. Fox Lake Corr. Inst.*, No. 17-CV-396-BBC, 2017 WL 11591115, at *3 (W.D. Wis. Sept. 14, 2017) (staying case pending the resolution of a similar case and providing the plaintiff 30 days from the date the stay would be lifted for next filing); *CMFG Life Ins. Co. v. Morgan Stanley & Co., LLC*, No. 13-C-577, 2015 WL 13145811, at *1 (W.D. Wis. Nov. 19, 2015) (lifting stay approximately three months after the Seventh Circuit issued a decision in a related case, where proceedings were initially stayed pending the Seventh Circuit’s decision in that case).

June 24, 2022

Page 2

For these reasons, Plaintiffs respectfully request that the Court provide Plaintiffs with 30 days to review the *Dobbs* decision to consider their options and next steps before the Court issues any decision in this matter. Defendants have indicated that they do not oppose Plaintiffs' request.

We are available at the Court's convenience to appear and address any questions Your Honor may have.

Respectfully submitted,

JENNER & BLOCK LLP

By: /s/ Ali M. Arain

Susan J. Kohlmann

Alison I. Stein

Ali M. Arain

Lori B. Day

JENNER & BLOCK LLP

1155 Avenue of the Americas

New York, NY 10036

Phone: 212-891-1600

skohlmann@jenner.com

astein@jenner.com

aarain@jenner.com

lday@jenner.com

Lester A. Pines

Tamara B. Packard

Leslie A. Freehill

PINES BACH LLP

122 West Washington Avenue, Suite 900

Madison, WI 53703

Phone: 608-251-0101

lpines@pinesbach.com

tpackard@pinesbach.com

lfreehill@pinesbach.com

Diana O. Salgado

PLANNED PARENTHOOD FEDERATION OF
AMERICA

1110 Vermont Avenue, NW Suite 300

Washington, DC 20005

Phone: 212-261-4399

June 24, 2022

Page 3

diana.salgado@ppfa.org
Counsel for the Plaintiffs

cc: Brian P. Keenan (by ECF)
Clayton P. Kawski (by ECF)